

MOLDOVA

Republic of Moldova

Head of state: Maia Sandu

Head of government: Natalia Gavriluța (replaced Aureliu Ciocoi in August)

Torture and other ill-treatment persisted. Impunity for grave past abuses by law enforcement agencies remained endemic. Concerns over unfair trials continued. Judicial oversight of surveillance and approval of pretrial detention was reported to be weak. Little progress was made in addressing domestic violence. In the breakaway Transdniestria region critics of the de facto authorities faced prosecution and concerns were raised about the right to education.

BACKGROUND

A stand-off between the President and parliament following the Prime Minister's resignation came to an end with early parliamentary elections in July, resulting in the formation of the first non-coalition government since 2009.

In September parliament voted to appoint a new national human rights Ombudsperson, amid concern in some quarters that her role as legal adviser to Maia Sandu in the 2020 presidential elections may create a potential conflict of interest.

The Covid-19 pandemic continued to affect the economy, resulting in falling standards of living for many, although government economists predicted a return to growth by the end of the year. Free Covid-19 vaccination was made widely available, with a choice of vaccines, and promoted during vaccination marathons in the capital, Chisinau, and elsewhere. The uptake of free Western-supplied vaccines in the breakaway Transnistria region was lukewarm, with many residents preferring the Russian-produced Sputnik vaccine or resisting vaccination altogether.

TORTURE AND OTHER ILL-TREATMENT

No visible progress was made in addressing torture and other ill-treatment. Overcrowding, unsanitary and otherwise inadequate detention conditions were regularly reported in adult, juvenile and mixed penitentiary institutions.

The National Ombudsperson for Children's Rights reported further adverse effects of the Covid-19 pandemic on conditions for minors in detention, with those from socially disadvantaged families particularly affected. Complaints of poor diagnostics and health provisions were commonplace, while medical staff remained part of penitentiary rather than health authorities.

A riot at the Brănești penitentiary institution, on 5 February, highlighted the issue of an informal hierarchy and inter-prisoner violence, which the authorities chronically failed to address.

IMPUNITY

Impunity for major past human rights violations by members of law enforcement agencies, including mass torture and other ill-treatment of peaceful protesters in 2009, remained endemic.

No progress was reported in the case of the abduction and forcible return of seven Turkish nationals by Moldovan security services in 2018, further to the limited investigation and a single conviction and non-custodial sentence in 2020. In March, the Council of Europe's Committee of Ministers considered implementation of the European Court of Human Rights decision in this case (*Ozdil and Others v. Republic of Moldova*) and "firmly reiterated" the need to ensure effective oversight and accountability of the security services and "regretted the authorities' lack of a response" to its previous call. In October, Moldova submitted its Updated Action Plan on the judgment which committed it to review past judicial decisions and adopt legislation intended to increase the accountability of its security services.

RIGHT TO A FAIR TRIAL

Concerns over unfair trials persisted.

No progress was reported in the 38 criminal cases in which the Prosecutor General had acknowledged political motivation and promised a review in 2020. In none was the conviction quashed or criminal proceedings terminated. In the most high-profile case, Veaceslav Platon, freed in 2020 pending a new investigation and retrial, left Moldova in July. The Prosecutor General was widely blamed for him leaving the country but brushed aside criticism as "political interference" with his work. The handling of these cases in light of persistent concerns over selective justice again exposed the weaknesses of the criminal justice system, its vulnerability to political interference and the need for reform.

RIGHT TO PRIVACY

NGOs and defence lawyers continued to express concern that judicial review of law enforcement agencies' requests for

wiretapping of private communications and for placing criminal suspects in pretrial detention was insufficiently probing, and resulted in near-total approval. Safeguards envisaged in national law, such as the persons being wiretapped being compulsorily informed, were not observed.

At a press conference on 4 October, the Prosecutor General accused a former colleague and several NGOs of plotting to unseat him, and claimed he had seen the content of their mobile communications. He was arrested the following day on several charges, including abuse of authority.

GENDER-BASED VIOLENCE

On 14 October parliament approved ratification of the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention), which Moldova signed in 2017. Little tangible progress was made, however, in addressing domestic violence, which predominantly affected women.

TRANSNISTRIA REGION

FREEDOM OF EXPRESSION

Critics of the de facto authorities faced criminal prosecution.

In July, pensioner Mikhail Yermuraki was convicted of “insulting the President” and fined the equivalent of US\$600. Two other charges against him, “denying the positive role of Russian peacekeepers” and “inciting national, racial, religious hatred”, were dropped.

In the same month, activist Gennadiy Chorba was sentenced to three years and three months’ imprisonment, for the same offence of insulting the President as well as on charges of “extremism” in connection with a peaceful picket a year earlier which he had attended. The de facto authorities accused him of inciting people to protest, as well as of making derogatory comments about medical personnel during the pandemic.

RIGHT TO EDUCATION

In August, the de facto Transnistrian authorities refused to reregister the Lucian

Blaga Theoretical High School, the only Romanian-language school in the regional capital, Tiraspol, and suspended its operations for at least three months. The reasons were not reported. The de facto authorities reversed the decision to suspend the school in the same month, after intervention by the OSCE and other international partners.